

REMARKS

Claims 3 and 6-10 remain pending in the application. Claims 3, 6, and 8-12, as well as the specification, have been amended. No new matter has been introduced.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter.

Claim 3 has been amended to more clearly recite that the management computer is further programmed to restore operation of the analyzing apparatus, in which the shortage of the one reagent occurred and which was stopped, as recited in claim 11 from which claim 3 depends (claim 11 recites that each module computer is programmed to stop the corresponding analyzing apparatus in which any one of the particular reagents registered is detected as being short). As amended, claim 3 has proper antecedent basis.

As to claim 6, Applicants note that support is found, for example, in steps 404-409 as shown in Figures 4 and described at page 15, lines 1-26. More specifically, the module computer temporarily stops the analysis of the sample in step 405 and the sample is placed in a stand-by state in step 406. The reagent is replaced in step 409, without stopping the analysis of the entire system.

As to claim 7, Applicants note that support is found, for example, in step 410 as shown in Figure 4 and described at page 15, line 27 to page 16, line 4: "In step 410, the module computer detects the completion of the exchange of the reagent in response to a signal from a detector 80 attached to the analyzing module 5 and confirms the remaining amount of the reagent thus exchanged based on a signal from a liquid surface detection sensor attached to the reagent dispensing pipet 32." The mechanism recited in claim 7 is the detector 80 in Figure 2 and described at page 16, line 1.

Claims 8-10 have been amended to recite that the module computer is programmed to perform the recited functions, as shown in Figure 4 and described in the specification at page 14, line 4 to page 17, line 15.

Claim Rejections Under 35 USC §112, first paragraph

Claims 11 and 12 stand rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. Claims 11 and 12 have been amended to correct the informalities. More specifically, the module computer for the corresponding analyzing apparatus is programmed to stop the analyzing apparatus in claim 11, and to continue operation of the analyzing apparatus in claim 12. In claim 11, the management computer is programmed to register particular reagents (page 8, lines 17 to 26), and to register an analyzing apparatus in which any one of the particular reagents is detected as being short (page 15, lines 7-9). Claim 12 has been amended to more clearly recite that at least one analyzing apparatus contains a reagent that is not registered, which is inherent in the disclosure (see, e.g., original claim 4; page 2, lines 18 to page 3, line 3; page 15, lines 22-26; and page 17, lines 11-15).

Claims 3 and 11 stand rejected under 35 USC 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claims 3 and 11 have been amended to correct the informalities.

Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger, Malur & Brundidge, P.C., Deposit Account No. 50-1417 (referencing attorney docket no. KAS-184).

Respectfully submitted,

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